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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/102,207	06/22/1998	DAVE GOH	10971798-1	1530
22879 7590 01/26/2009 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER DAVIS, DAVID DONALD				
ART UNIT		PAPER NUMBER		
2627				
NOTIFICATION DATE		DELIVERY MODE		
01/26/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM

mkraft@hp.com

ipa.mail@hp.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DAVE GOH,  
LEENA SANSGUIRI, PAUL CHOU,  
NANDAKUMAR NATARAJAN, JOHN A. DILLEY,  
MARCOS FRID, ROBERT H. HYERLE,  
ARNE LUHRS and CHANDRASEKAR VENKATRAMAN

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Application 09/102,207  
Technology Center 2600

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Mailed: January 23, 2009

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Before PAMELA S. BENNETT, *Review Team Paralegal*.

BENNETT, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on August 14, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matters requiring attention prior to docketing.

### **APPEAL BRIEF, ARGUMENTS**

A review of the file finds that the arguments with respect to each ground of rejection as provided in the Appeal Brief filed May 2, 2006 under the heading “Argument” have not been clearly provided. Each ground of rejection must be treated under a **separate heading** in accordance with 37 CFR 41.37(c)(1)(vii). Any claim argued separately should be placed under a subheading identifying the claim by number. Claims argued as a group should be placed under a subheading identifying the claims by number.

Appellants have not provided the necessary headings and/or subheadings for arguments which correspond to each ground of rejection. *See also Manual of Patent Examining Procedure* (MPEP) § 1205.02 (8<sup>th</sup> ed. Rev. 4, October 2005) for details.

### **EXAMINER’S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on November 13, 2006. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

### **CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) to hold the Appeal Brief filed on May 2, 2006 defective;

- 2) to notify Appellants to file a paper properly presenting the arguments for each grounds of rejection as required;
- 3) for consideration of said paper;
- 4) for acknowledgement and consideration of the Reply Brief filed November 13, 2006; and
- 5) for such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

Hewlett Packard Company  
P.O. Box 272400, 3404 E. Harmony Road  
Intellectual Property Administration  
Fort Collins, CO 80527-2400